

STEPHAN A. BARBER (SBN 70070)  
 DANIEL P. MCKINNON (SBN 234749)  
 ROPERS, MAJESKI, KOHN & BENTLEY  
 50 West San Fernando Street, Suite 1400  
 San Jose, CA 95113  
 Telephone: (408) 287-6262  
 Facsimile: (408) 918-4501  
 Email: sbarber@ropers.com  
 Email: dmckinnon@ropers.com

\*\*E-Filed 2/2/2010\*\*

Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

JOHN J. SARSFIELD

Plaintiff,

v.

COUNTY OF SAN BENITO, JAIME DE  
 LA CRUZ, in his official capacity, REB  
 MONACO, in his official capacity,  
 ANTHONY BOTELHO, in his official  
 capacity, DON MARCUS, in his official  
 capacity, and DOES 1 through 10,  
 inclusive,

Defendants.

CASE NO. C-07-2528 JF

**STIPULATION AND ORDER  
 MODIFYING CASE MANAGEMENT  
 SCHEDULE AND SETTING  
 DEFENDANTS' MOTION FOR  
 SUMMARY JUDGMENT FOR HEARING**

It is hereby stipulated between Plaintiff JOHN J. SARSFIELD, by and through his attorney, Terence O. Mayo, and Defendants COUNTY OF SAN BENITO, JAIME DE LA CRUZ, REB MONACO, ANTHONY BOTELHO, and DON MARCUS, by and through their attorney, Stephan A. Barber, as follows:

1. The Case Management Schedule herein is modified to the extent that Defendants' Motion for Summary Judgment is scheduled for hearing on April 16, 2010, at 9:00 a.m. unless changed by the Court; and

///

///

2. Said April 16, 2010 hearing date has been selected for the convenience of the Court and counsel for the parties.

Dated: January 27, 2010

MAYO & MAYO

By: 

TERENCE O. MAYO  
Attorneys for Plaintiff

Dated: January 29, 2010

ROPER, MAJESKI, KOHN & BENTLEY

By: 

STEPHAN A. BARBER  
Attorneys for Defendants

**ORDER OF THE COURT**

The above stipulation of the parties is accepted. The Case Management Order herein is modified to the extent that Defendants' Motion for Summary Judgment is scheduled for hearing on April 16, 2010 at 9:00 a.m., in Courtroom 3, 5<sup>th</sup> Floor.

Dated: 2/2/2010

  
HONORABLE JEROME FOGEL  
Judge United States District Court